

REMARKS

The present Office Action objected to the specification and certain claims, rejected other claims, and indicated that the remaining claims were allowed. Applicants amended Claims 1-10 and added Claims 21-57. Claims 1-57 remain. Applicant respectfully requests that the Examiner reconsider and withdraw the rejection.

A Petition to Revive the present application accompanies this Amendment as a separate paper.

Specification

The Office Action objected to the Abstract of the invention for including the word "said." Applicant removed this word from the Abstract. Applicant requests that the Examiner reconsider and withdraw the objection.

Claim Rejections - 35 USC § 102

The Office Action rejected Claims 1-5, 7-14, and 16-18 as being anticipated by United States Patent Number 5,454,551 by Hobday ("Hobday"). Independent claims 1 and 10 each now recite, *inter alia*, that the tool helps secure a clamp (claim 1)/P clamp (claim 10) having a fastener to a mounting location, and has a retainer on the first jaw for the clamp/P clamp fastener. Although the Office Action did not specifically identify which component of the first jaw comprises the retainer, none of the features of Hobday are for a clamp/P clamp fastener. Hobday is used for clamping workpieces(w). Applicant requests that the Examiner reconsider and withdraw the rejection.

The Office Action rejected Claims 1-5, 7-8, 10-14, and 16-18 as being anticipated by United States Patent Number 6,438,854 by Kott Jr. ("Kott"). As discussed above, independent claims 1 and 10 each now recite, *inter alia*, that the tool helps secure a clamp (claim 1)/P clamp (claim 10) having a fastener to a mounting location, and has a retainer on the first jaw for the clamp/P clamp fastener. The retainer (32) of Kott is for a laser marking assembly (34), not a clamp/P clamp fastener. Applicant requests that the Examiner reconsider and withdraw the rejection.

The Office Action rejected Claims 1-5, 7-8, 10-14, and 16-18 as being anticipated by United States Patent Number 6,658,711 by Benson ("Benson"). As discussed above, independent claims 1 and 10 each now recite, *inter alia*, that the tool helps secure a clamp (claim 1)/P clamp (claim 10) having a fastener to a mounting location, and has a retainer on the first jaw for the clamp/P clamp fastener. The retainer (28) of Benson is for a hose (36), not for a clamp/P clamp fastener. Applicant requests that the Examiner reconsider and withdraw the rejection.

Allowable Subject Matter

The Office Action objected to claims 6 and 15 as being dependent upon a rejected base claim. Since independent claims 1 and 10 now define inventions that are patentable over the cited references, the Examiner should likewise find these claims allowable. Applicant requests that the Examiner reconsider and withdraw the rejection.

As discussed in more detail below, Applicant added a new claim that mirrors dependent claim 6 in independent form.

Allowed Claims

The Office Action indicated that claims 19 and 20 were allowed. Applicant did not amend these claims.

Other Amendments

Applicant made two (2) changes to the specification that were neither in response to the Office Action nor made for reasons related to patentability. Specifically, Applicant corrected minor grammatical errors that appeared in paragraphs 37 and 51. Clearly, such modifications neither narrow the scope of the present application nor introduce new matter to the original disclosure.

Newly Added Claims

Applicant added new claims 21-57. The newly added claims define inventions that are patentable over the cited references. Applicant requests that the Examiner indicate the allowance of the newly added claims in the next communication.

The newly added claims do not introduce new matter. Support for the newly added claims appears in the original disclosure. For example, support for claims 21, 22, 29, 33, 46 and 47 appears in paragraphs 46 and 48; support for claims 23-25 appears in paragraph 23; support for claims 26, 30, 43, 48 and 50 appears in paragraph 26; and support for claims 27, 28, 31, 32, 44, 45, 56 and 57 appears in paragraphs 28 and 37. Claims 35-42 mirror original claims 1-5 and 7-9, respectively; claim 49 mirrors original claim 6; and claims 51-55 mirror original claims 2-5

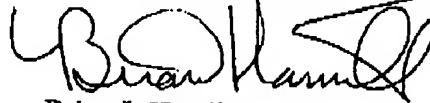
and 9, respectively. In addition, claim 34 is original (and allowable) dependent claim 6 rewritten in independent form.

Conclusion

In light of the foregoing, Applicant submits that the claims are now in condition for allowance. Applicant requests that the Examiner reconsider and withdraw the objections and rejections. Applicants solicit the allowance of Claims 1-57 at an early date.

Applicants authorize the Commissioner to charge the \$2,250 fee due under 37 CFR 1.16(c) for the presentation of thirty-seven (37) claims in excess of twenty (20) ($37 \times \$50 = \$1,850$), for the presentation of two (2) independent claims in excess of three (3) ($2 \times \$200 = \400), and any fee due under 37 CFR 1.16 or 17, or to credit any overpayments, during prosecution of this Application, to Deposit Account Number 21-0279.

Respectfully submitted,



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